

1 Colt B. Dodrill, Esq. (SBN 9000)
2 WOLFE & WYMAN LLP
3 980 Kelly Johnson Drive, Ste 140
4 Las Vegas, NV 89119
5 Tel: (602) 953-0100
6 Fax: (602) 953-0101
7 cbdodrill@wolfewyman.com
8 *Attorneys for Defendant Green Tree Servicing LLC,
9 now known as Ditech Financial LLC, and
10 Intervenor/Counterclaimant Federal National Mortgage Association*

11 Leslie Bryan Hart, Esq. (SBN 4932)
12 John D. Tennert, Esq. (SBN 11728)
13 FENNEMORE CRAIG, P.C.
14 300 E. Second St., Suite 1510
15 Reno, Nevada 89501
16 Tel: 775-788-2228 Fax: 775-788-2229
17 lhart@fclaw.com; jtennert@fclaw.com

18 *Attorneys for Intervenor/Counterclaimant Federal Housing Finance Agency*

19 **UNITED STATES DISTRICT COURT**
20 **DISTRICT OF NEVADA**

21 NEVADA SAND CASTLES, LLC,
22 Plaintiff,

23 vs.
24 GREEN TREE SERVICING LLC;
25 RECONSTRUCT COMPANY, N.A.; BANK
26 OF AMERICA, N.A.; PRLAP, INC.; DOES I-
27 X, inclusive; and ROE BUSINESS ENTITIES
28 I-X, inclusive,

Defendants.

and

FEDERAL NATIONAL MORTGAGE
ASSOCIATION; and FEDERAL HOUSING
FINANCE AGENCY, as Conservator of the
Federal National Mortgage Association,

Intervenors.

CASE NO. 2:15-cv-00588-GMN-VCF

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO STAY DISCOVERY
PENDING RULING ON MOTION TO
CONSOLIDATE**

FIRST REQUEST

FEDERAL NATIONAL MORTGAGE
ASSOCIATION; and FEDERAL HOUSING
FINANCE AGENCY, as Conservator of the
Federal National Mortgage Association,
Counterclaimants,

vs.

NEVADA SAND CASTLES, LLC,
Counter-Defendant.

1 Plaintiff/Counter-Defendant, Nevada Sand Castles, LLC (“Nevada Sand Castles”),
 2 Defendant Green Tree Servicing LLC, now known as Ditech Financial LLC,
 3 Intervenor/Counterclaimant, Federal National Mortgage Association (“Fannie Mae”), and
 4 Intervenor/Counterclaimant, Federal Housing Finance Agency (“FHFA”), by and through their
 5 attorneys of record, submit the following stipulation for the Court’s review and approval.

6 **WHEREAS**, the Court granted the parties’ stipulation to entry of order and entered its
 7 order permitting Fannie Mae and FHFA to intervene in this action on January 13, 2016. (Dkt.
 8 28.)

9 **WHEREAS**, on February 12, 2016, Fannie Mae and FHFA filed a Motion to Consolidate
 10 this action with a defendants’ class action that Fannie Mae, FHFA, and the Federal Home Loan
 11 Mortgage Corporation (“Freddie Mac,” and with Fannie Mae, the “Enterprises”) have filed in
 12 this District, *FHFA v. SFR Investments Pool 1, LLC*, No. 2:15-cv-1338-GMN-CWH (D. Nev.)
 13 (“Putative Class Action”). (Dkt. 30.)

14 **WHEREAS**, the purpose of the Motion to Consolidate, and of similar motions filed or to
 15 be filed in other related actions, is to facilitate the efficient management of a growing number of
 16 related cases that, despite minor, non-dispositive factual differences, all turn on the same
 17 dispositive legal issue: whether a homeowner’s association foreclosure sale conducted under
 18 Nev. Rev. Stat. § 116.3116(2) (“HOA Sale”) may extinguish the Enterprises’ property interests.

19 **WHEREAS**, Nevada Sand Castles consents to the Motion to Consolidate.

20 **WHEREAS**, until the Court decides the Motion to Consolidate, the parties agree to stay
 21 discovery, including the conference, discovery plan and report required by Rule 26(f) of the
 22 Federal Rules of Civil Procedure (“FRCP”) and Rule 26-1(d) of the Local Rules of Practice for
 23 the United States District Court for the District of Nevada (“LR”), and the initial disclosures
 24 required by FRCP 26(a).

25 **WHEREAS**, the parties agree that the interests of efficiency and judicial economy
 26 would be served by consolidation of this action with the Putative Class Action. The efficiencies
 27 to this Court and to the parties would be diminished if the parties were required to pursue
 28 discovery while the Motion to Consolidate is pending.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties, through their undersigned counsel, that all discovery is stayed pending a ruling on the Motion to Consolidate.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation is entered into in good faith and not for the purposes of delay, and is not intended to waive any of the substantive or procedural right of the parties. The parties have not previously requested any stay of discovery.

DATED this 12th day of February, 2016.

WOLFE & WYMAN LLP

FENNEMORE CRAIG, P.C.

By: /s/ Colt Dodrill
Colt B. Dodrill (SBN 9000)
980 Kelly Johnson Drive, Ste 140
Las Vegas, NV 89119
Tel: (602) 953-0100 Fax: (602) 953-0101
cbdodrill@wolfewyman.com

By: /s/ Leslie Bryan Hart
Leslie Bryan Hart, Esq. (SBN 4932)
John D. Tennert, Esq. (SBN 11728)
300 E. Second St., Suite 1510
Reno, Nevada 89501
Tel: 775-788-2228 Fax: 775-788-2229
lhart@fclaw.com; jtennert@fclaw.com

*Attorneys for Defendant Green Tree Servicing
LLC, nka, Ditech Financial LLC, and
Intervenor/Counterclaimant Federal National
Mortgage Association*

*Attorneys for Intervenor/Counterclaimant
Federal Housing Financing Agency*

NOGGLE LAW

By: /s/ Alex Ghibaudo
Robert B. Noggle, Esq. (SBN 11427)
Alex Ghibaudo, Esq. (SBN 10592)
376 East Warm Springs, Rd., Ste 140
Las Vegas, NV 89119
Tel: 702-450-6300 Fax: 702- 642-9766
robert@nogglelaw.com

*Attorneys for Plaintiff Nevada Sand Castles,
LLC*

ORDER

IT IS SO ORDERED.

Carl Radcliffe

UNITED STATES MAGISTRATE JUDGE

DATED: 2-16-2016